

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

LaRonda Phox  
Plaintiff

vs.

12-1002-cv-w - HFS

Case No. \_\_\_\_\_

Capital One Auto Finance  
Defendant

**NOTICE OF LAWSUIT**

The Plaintiff, LaRonda Phox, hereby is sending the following notice, to show that a lawsuit has been commenced against you, as Capital One Auto Finance.

Enclosed is information, See Ex. 1-4, the Plaintiff has sent to your Credit Dispute Dept. to address the matters of the complaint, that has not been resolved.

Since then, the Plaintiff sent the complaint in C/O your registered agent, and this complaint was ignored. The Plaintiff contacted your company again, to see if there was an interest in resolving this issue with a settlement, on or about **July 25, 2012**, when she spoke with a Supervisor, Michael # CCA128, about the Credit Dispute. Michael verified, the account was not used through the means of Identity Theft and how the Plaintiff, never had an account with your company, nor authorized permissible access to her credit report.

Micheal tried to make the point that the inquires don't affect an individual's credit score, which I disagree, because you not only accessed her report 1-time, but 4-times with-in 2-months and he could not establish reasons, for the frequency, in doing so.

**THEREFORE**, your company has violated the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681 et seq., and Federal Debt Collection Practices Act (FDCPA) 15 U.S.C. §§ 1692-1692p.. I am sending you a notice to inform you of my intent to sue and to show that I have started the

procedure of a lawsuit with a complaint.

I am requesting \$5,000.00 and expect to hear from you, by mail or email, if you wish to resolve this matter, without further court actions, that may include additional costs.

Dated: July 30, 2012

Respectfully Submitted,



LaRonda Phox, Plaintiff  
3921 Norton Ave.  
Kansas City, MO 64130  
816-924-5344  
[Lphox@hotmail.com](mailto:Lphox@hotmail.com)

#### **VERIFICATION of STATEMENT**

State of MO  
County of Jackson

BEFORE ME, personally appeared LaRonda Phox, who, being by me first duly sworn and identified in accordance with MO law, deposes and says:

1. My name is LaRonda Phox, Plaintiff herein.
2. I have read and understood the attached foregoing complaint filed herein, and each fact alleged therein is true and correct of my own personal knowledge.

FUTHER THE AFFIANT SAYETH NAUGHT.

  
LaRonda Phox, Affiant

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

LARONDA PHOX,

Plaintiff,

12-1002-cv-w-hfs

v.

Case NO. 4:12-cv-01002-HFS

Capital One Auto Finance

Defendant.

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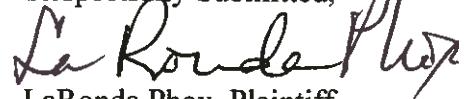
**CERTIFICATE OF SERVICE**

I UNDER PENALTY OF PERJURY, I CERTIFY that Plaintiff's Notice of Lawsuit was sent registered mail of the USPS to the Registered Agent of Capital One Auto Finance being Corporation Service Co., 2180 South 1300 East St. 650, Salt Lake City, UT 84106, on this 30<sup>th</sup> day of July, 2012 and

I UNDER PENALTY OF PERJURY, I CERTIFY that Plaintiff's Notice of Lawsuit was sent registered mail of the USPS to Capital One Auto Finance, P.O. Box 30281, Salt Lake City, UT 84130, on this 30<sup>th</sup> day of July, 2012 and

I UNDER PENALTY OF PERJURY, I CERTIFY that Plaintiff's Notice of Lawsuit was hand-delivered to the U.S. District Courts of the MO Western District on this 30<sup>th</sup> day of July 2012.

Respectfully Submitted,

  
LaRonda Phox, Plaintiff